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6 Attorney for Defendant,  
Barnaby Kue Ly

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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 \* \* \*

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 BARNABY KUE LY,  
15 Defendant.

2:05-cr-382-JCM-RJJ

**UNOPPOSED MOTION TO  
TEMPORARILY MODIFY CONDITIONS  
OF PRETRIAL RELEASE**

17 Defendant, Barnaby Kue Ly moves this Court for a modification of his conditions of  
18 pretrial release pursuant to 18 U.S.C. §3145. This motion seeks permission for Mr. Ly to visit  
19 Sacramento, California to attend his uncle's funeral from July 15 through July 18 at an address that  
20 will be provided to Pretrial Services.

21 Mr. Ly was arrested for False Statement in Application and Use of Passport and  
22 Misuse of Passport in the above-captioned case. He was brought before this Court on April 12,  
23 2011. He was released pursuant to the following conditions:

- 24 (a) report to Pretrial Services,
- 25 (b) maintain or actively seek employment,
- 26 (c) surrender any passport,
- 27 (d) obtain no passport,

- (e) not travel outside of District of Nevada,
  - (f) participate in one of the location monitoring: home detention ,
  - (g) submit to location monitoring: Radio Frequency (RF) monitoring,
  - (h) shall not use any identifier, access devices, or accounts unless under true name
  - (i) maintain current residence.

Mr. Ly seeks permission to temporarily modify his conditions of pretrial release to allow him to travel to Sacramento, California in order to attend the funeral service of his Uncle Long Lor. Mr. Ly would be departing Las Vegas, Nevada on July 15, 2011. He would be returning to his home on July 18, 2011. His itinerary has been provided to Pretrial Services.

Pretrial Services does not oppose this temporary modification. The government also does not oppose this temporary modification. Mr. Ly, thus, requests that this Court allow him to travel to visit Sacramento, California from July 15, 2011 to July 18, 2011

DATED this 14th day of July, 2011.

RENE L. VALLADARES  
Acting Federal Public Defender

/s/ Jonathan Sussman  
**JONATHAN SUSSMAN**  
Assistant Federal Public Defender  
Counsel for Barnaby Kue Ly

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4  
5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 BARNABY KUE LY,

9 Defendant.

2:05-cr-382-JCM-RJJ

**ORDER TO TEMPORARILY MODIFY  
CONDITIONS OF PRETRIAL RELEASE**

10 Defendant, Barnaby Kue Ly, having moved this Court for modification of his  
11 conditions of pretrial release pursuant to 18 U.S.C. §3145 and Pretrial Services and the Government  
12 having consented to a modification of the conditions of pretrial release,

13 IT IS HEREBY ORDERED THAT Defendant Barnaby Kue Ly will be permitted to  
14 travel to Sacramento, California from July 15 through July 18, 2011.

15 IT IS FURTHER ORDERED THAT, prior to traveling, Mr. Ly must provide the  
16 details and itinerary of his travel, including contact information for where and with whom he will  
17 be staying, to Pretrial Services.

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19 DATED this 15th day of July, 2011.

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22 UNITED STATES MAGISTRATE JUDGE

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1                   **CERTIFICATE OF ELECTRONIC SERVICE**

2                   The undersigned hereby certifies that she is an employee of the Law Offices of the  
3                   Federal Public Defender for the District of Nevada and is a person of such age and discretion as  
4                   to be competent to serve papers.

5                   That on July 14, 2011, she served an electronic copy of the above and foregoing

6                   **UNOPPOSED MOTION TO TEMPORARILY MODIFY CONDITIONS OF PRETRIAL**

7                   **RELEASE** by electronic service (ECF) to the person named below:

9                   DANIEL BOGDEN  
10                  United States Attorney  
11                  GREGORY DAMM  
12                  Assistant United States Attorney  
13                  333 Las Vegas Blvd. So., 5<sup>th</sup> Floor  
14                  Las Vegas, Nevada 89101

15                  /s/ Nancy Vasquez  
16                  Nancy Vasquez, an Employee of the Law Office of  
17                  the Federal Public Defender

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